

COMMISSION MEETING MINUTES  
August 30, 2005

The Board of Davis County Commissioners met in the Commission Chambers of the Davis County Courthouse, Farmington, Utah on August 30, 2005. A telecommunication meeting was conducted. Members present were Commissioner Dannie R. McConkie, Commissioner Alan Hansen, Clerk/Auditor Steve S. Rawlings, Chief Deputy Civil County Attorney Gerald E. Hess, and Commission Office Manager Linda May. Commissioner Carol Page joined by telecommunication.

Commissioner McConkie Serving Pro-Tem Chairman

Commissioner Page called the meeting to order and delegated the authority to Commissioner McConkie to serve as Pro-Tem.

Bid Opening for Replacement of Memorial Courthouse North Stairs

A bid opening was held for the replacement of the Memorial Courthouse north stairs. Only one bid was submitted and Steve Rawlings, Davis County Clerk/Auditor read the bid amount:  
Restruction Corporation \$80,955.00  
Jeff Hewitt, Davis County Facilities Management Director, stated that he would like to review the bid and the criteria. He will return to the meeting next week to discuss a bid award.

Conservation Easement #2001-197A with Division of Wildlife Resources (Mutton Hollow Basin)

Tom Smith, Davis County Public Works Director, presented the following property transactions:  
(1.) Quitclaim Deed and Reservation of Conservation Easement #2001-197A with the Division of Wildlife Resources was discussed. The original document was signed in July 2001 and was transacted as a Special Warranty Deed. Inadvertently attached to the Special Warranty Deed was Exhibit F which contained a property description on which the Conservation Easement was to apply but the intent of the parties was not to transfer ownership of the property as described. The Utah Department of Natural Resources, Division of Wildlife Resources, desire now to Quitclaim to Davis County the property as described while at the same time retaining a Conservation Easement on the property. Commissioner Page made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2005-263 Easement for Qwest Corp. for Utilities Along 3800 South in North Salt Lake

(2.) Easement agreement #2005-263 with Qwest Corporation was discussed. It grants a perpetual easement as described to construct, reconstruct, modify, change, add to, operate, maintain and remove such telecommunications facilities and electrical facilities and appurtenances from time to time. The easement is in North Salt Lake along 3800 South as described in the document. Commissioner Page made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Right of Way Easement & Quitclaim Deed #2005-264 Security Investment Ltd at a West Bountiful Location

(3.) Right of Way and Easement and Quitclaim Deed #2005-264 with Security Investment Ltd was discussed. The location is in West Bountiful by Mill Creek Meadows as described in the document. This will allow for the maintaining of a green space. Commissioner Hansen made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreements #2005-265 #2005-266 #2005-267 with CCI Mechanical for HVAC Maintenance at Three Libraries

Pete Giacoma, Davis County Library Director, presented three agreements with CCI Mechanical Service for maintenance of HVAC systems at the following libraries:  
#2005-265 North Branch Library in Clearfield \$850.00/annually  
#2005-266 Headquarters Library in Farmington \$700.00/annually  
#2005-267 South Branch Library in Bountiful \$700.00/annually

Commissioner Page made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreements  
#2005-268  
Thru  
#2005-273 for  
Elderly  
Services  
Through  
Medicaid  
Aging Waiver  
Program

Shawna Mahan, Davis County Aging Services, presented the following agreements to provide services for the elderly through the Medicaid Aging Waiver Program:

(1.)	Agreements #2005-268 with Heritage Place Assisted Living	Per Unit Rate
(2.)	Agreement #2005-269 with South Davis Home Health & Hospice	Per Unit Rate
(3.)	Agreement #2005-270 Christus St. Joseph Villa	Per Unit Rate
(4.)	Agreement #2005-271 Spectrum Home Services of Davis County	Bill Medicaid Direct
(5.)	Agreement #2005-272 Community Nursing Services	Per Unit Rate
(6.)	Agreement #2005-273 Harmony Home Health Services	Per Unit Rate

Commissioner Hansen made a motion to approve. Commissioner Page seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2005-274  
Amendment  
#2005-274A  
Valley Services  
for Providing  
Meals to  
Seniors in  
Davis County

Agreement #2005-274 and amendment #2005-274A with Valley Services was presented. The company will provide nutritional meals to seniors in Davis County. The amendment lists the prices of \$2.63 per meal for congregate meals, \$2.53 - \$3.10 for home delivery meals, and \$3.50 for box lunches. Commissioner Hansen made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Hansen stated that the County is still investigating the possibility of another food provider and/or improvements to the current service. Any comments and suggestions from citizens are appreciated.

James Dudleston, Davis County Information Systems presented the following three agreements:

Agreement  
#2005-275  
Kaysville City  
for Joint Use of  
a Fiber Optic  
Cable

(1.) Agreement #2005-275 with Kaysville City for joint use of a portion of a fiber optic cable being installed by Kaysville City. It will allow Davis County to connect the Emissions Testing Center and the Kaysville Senior Citizen Center through the cable for greater effective service. It is a payable in the amount of \$9,272.92. Commissioner Page made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2005-276  
Smart Building  
Solutions for  
Powerware  
UPS Systems  
Services

(2.) Agreement #2005-276 with Smart Building Solutions for full preventive and remedial coverage on Davis County’s 40 KVA Powerware UPS Systems. It is a payable in the amount of \$3,224.00. Commissioner Hansen made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2005-277  
Intergraph  
Corp for  
Software  
Maintenance

(3.) Agreement #2005-277 with Intergraph Corporation for software maintenance. It is a payable in the amount of \$22,114.00. Commissioner Hansen made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

United Way  
SSBG Grant  
Funds  
Distribution

Terry Boam, Director of Finance & Administration for Davis County United Way, presented information relating to the distribution of funds under the SSBG grant. The following entities will receive funds:

<u>Agency</u>	<u>Program</u>	<u>Allocation</u>
Davis County Aging Services	Senior Companion	\$15,078
Davis Behavioral Health	Mental Health Services	\$42,485
Family Connection Center	Therapy Program	\$ 8,432
Michael Murphy, Attorney	Legal Aid (North)	\$15,562
Val Roberts, Attorney	Legal Aid (South)	\$ 8,500
DCCAV – Safe Harbor	Outreach & Aftercare	\$ 7,500
United Way of Davis County	Administration	\$ 8,953

Terry said that the total funding represents a 1.25 percent increase over last year, a rarity in an era of decreased federal funding for social services.

Resolution  
#2005-278  
Family Day –  
A Day to Eat  
Dinner with  
Your Children

A resolution #2005-278 proclaiming the fourth Monday in September as “Family Day – A Day to Eat Dinner With Your Children” was presented. The commissioners are in strong support of families and the strength that comes from family dinners. Commissioner Page made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Adoption of  
Davis County  
Fair Park  
Alcoholic  
Beverage  
Policy

Dave Hansen, Davis County Fair Park Director, presented a new policy titled, “Davis County Fair Park Alcoholic Beverage Policy. The policy reads as follows:

A. Findings

The Davis County Board of County Commissioners finds that:

1. Based upon activities and events conducted at the Davis County Fair Park, the County’s experiences, recommendations and requests of the Fair Park Director, and upon consultation with the Risk Management Team, it is reasonable, appropriate, and necessary to establish a policy regarding the sale, distribution, and use of alcoholic beverages in or upon Fair Park facilities and property;
2. The revenues derived from the sale of beer by the County are insufficient to justify the costs, liabilities, risks, and responsibilities associated with such sales;
3. Section 17-50-302, Utah Code, provides that the County may exercise powers that are reasonably related to the safety, health, morals, and welfare of its inhabitants, except as limited or prohibited by statute; and
4. Section 32A-1-102(2) of the *Alcoholic Beverage Control Act*, Utah Code, permits the County as a local authority to regulate the sale, service, or consumption of alcoholic beverages if the regulations do not conflict with the provisions of the act.

B. Policy

1. Definitions

For the purposes of this policy, the definitions of alcoholic beverages and other words or terms pertaining to alcoholic beverages as forth in Section 32A-1-105, Utah Code, are incorporated into this policy.

2. Regulation

The following regulations shall apply in or upon Fair Park facilities and property:

- a. No alcoholic beverages shall be sold by the County or any person or entity during the County Fair.
- b. No alcoholic beverages may be served or made generally available to adult attendees or participants at any public or private hosted event or activity or social event except by a duly licensed and insured caterer approved by the county.
- c. No alcoholic beverages may be served, distributed, consumed, possessed, or allowed to be served, distributed, consumed, or possessed in violation of the *Alcoholic Beverage Control Act*.
- d. The possession or consumption of alcoholic beverages at events at the Fair Park is subject to the following:
  - (1.) The possession or consumption of liquor is prohibited except under sub-section 2.b.
  - (2.) An individual may possess beer in and consume the beer only from a single open container, i.e. an individual may carry an open beer into an event and consume bit but may not possess more than a single container with beer at any time.
  - (3.) Signs shall be posted at appropriate locations to inform people of these restrictions for each event.
  - (4.) The Fair Park staff, at its discretion, may impose such other regulations as the staff deems reasonable and appropriate for any event or require any person who conduct is disorderly or unlawful, whether because of the effects of alcohol or otherwise, to leave the premises.

Commissioner Hansen made a motion to approve the policy. Commissioner Page seconded the motion. All voted aye.

Report of  
Success of the  
2005 Davis  
County Fair

Dave Hansen reported that the 2005 Fair was great and he is happy with the outcome. The fair enjoyed good marketing, good entertainment, good weather, and good attendance. Dave stated that he wished

there was a good method to obtain a more accurate count of attendance. The commissioners thanked Dave, Curtis Koch, and staff for all their hard work and efforts during the fair.

Commissioner Hansen made a motion to convene as the Board of Equalization. Commissioner Page seconded the motion. All voted aye.

Commissioner Hansen made a motion to approve the property tax register as presented.

Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor. Steve Rawlings, Davis County Clerk/Auditor, stated that approximately 244 appeals have been received in contrast to over 500 last year at this time. The last day to file an appeal is September 15, 2005.

Commissioner Hansen made a motion to reconvene the regularly scheduled commission meeting.

Commissioner Page seconded the motion. All voted aye.

Commissioner Page made a motion to approve the commission meeting minutes of August 16.

Commissioner Hansen seconded the motion. All voted aye.

A personnel register was presented. Commissioner Page made a motion to approve. Commissioner

Hansen seconded the motion. All vote aye.

Check registers as prepared by the Davis County Clerk/Auditor were presented. Commissioner

Hansen made a motion to approve. Commissioner Page seconded the motion. All voted aye. The documents are on file in the Office of the Davis County Clerk/Auditor.

A personal property tax register as prepared by the Davis County Assessor was presented.

Commissioner Page made a motion to approve. Commissioner Hansen seconded the motion. All voted aye.

Agreement #2005-279 with PEHP was presented. The agreement #2005-260 with PEHP will be

voided as corrections were made by PEHP to the document. The agreement is for the employee benefits funded in each department's accounts. Commissioner Page made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Barry Burton, Davis County Community and Economic Development, presented agreement #2005-

280 with BOC of Americas (PGS), Inc. It is for a building permit fee for the hydrogen plant to be built at the Chevron Refinery. The building permit fee to be paid by the Applicant shall be the cost of the building inspection service incurred by Davis County plus ten percent (10%). Payment will occur 30 days after receipt of an invoice. The period of the contract is August 30, 2005 through completion of the building project in 2007. Commissioner Page made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2005-281 with Tetra Tech CSI was presented. The company will purchase sale of tax

parcel ownership plats for Davis County for \$200.00 and receive quarterly updates at a cost of \$25.00.

Commissioner Hansen made a motion to approve. Commissioner Page seconded the motion. All voted aye.

The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner McConkie announced that today is the commuter rail groundbreaking ceremony at

2:00 p.m. at Warm Springs (500 W 900 N) in Salt Lake.

Meeting adjourned.

Property Tax  
Register  
Approved

Commission  
Minutes  
Approved

Personnel  
Register  
Approved

Check  
Registers  
Approved

Personal  
Property Tax  
Register  
Approved

Agreement  
#2005-279  
PEHP (Voided  
#2005-260) for  
Employee  
Benefits for  
Health  
Insurance

#2005-280  
BOC of  
Americas Inc  
for a Building  
Permit Fee for  
the Hydrogen  
Plant at the  
Chevron  
Refinery

Agreement  
#2005-281  
Tetra Tech CSI  
for Purchase of  
Ownership  
Plats

Commuter Rail  
Groundbreaking